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09/650,375	08/29/2000	Curtis Wong	MS150957.1	8539
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AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			HUYNH, SON P	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/650,375	Applicant(s) WONG ET AL.	
	Examiner Son P. Huynh	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-42, 44 and 46-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-42, 44 and 46-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/30/2007 has been entered.

Response to Arguments

1. Applicant's arguments with respect to claims 1-67 have been considered but are moot in view of the new ground(s) of rejection.

Claims 4, 43, and 45 have been canceled.

Note: application No. 09/330,792 (U.S. 2005/0204388 – referred as Knudson), application No. 09/356,245 (US 2006/0190966 A1 – referred as McKissick), application No. 09/332,244 (US 2003/0149988 – referred to as E988), application No. 09/356.161

(US 2005/0251827 A1- referred to as E827) are incorporated by references in their entirety in U.S 2005/0028208 A1 (referred to as E208) – see E208: paragraphs 0087, 0079, 0119, 0123, 0127-0128, 0179-0180, 0222). Therefore, these applications in their entirety are treated as part of the text of E208 (see M.P.E.P 2163.07 (b) [R-3]).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 40-42, 44, 51-57, 59-66 are rejected under 35 U.S.C. 102(e) as being anticipated by E208.

Regarding claim 40, E208 discloses a system to facilitate remote programming of a recording system, comprising:

television distribution facility 16 and/or user television equipment receives information indicating the user who scheduled a program for recording and storing this information in the program guide or user television equipment (see include, but are not limited to, paragraph 0127, McKissick: figures 14-17, 19; E827: figures 13-15, 27, 29-

30). Television distribution facility 16 also receives a request for a particular program to be recorded in a particular storage device (25, 31, 32, or 56, or storage device at different locations; E827: figures 27, 29-30). In response to the request, the selected program is recorded in the predetermined storage device (paragraphs 0127, 0163-0164, 0220-0222, figure 19). Thus, the server (distribution facility 16 and/or user television equipment) operable to receive a token (program guide information/feature) having data identifying at least one of a user (who schedule a program to be recorded or who receives the program) and a recording system (storage device used to record the program) and identifying a plurality of segments of program data associated with one of an audio and visual program (identifying a plurality of segments/episodes of program data associated with program to be recorded or played back— see include, but are not limited to, E988: figures 25a-25b, 29-31, paragraphs 0094-0096, 0173; Knudson: figures 7, 10), the server being operable to communicate program data, based on the token, to a programmable recording system to effect programming of the recording system to record the at least one of the audio and visual program (communicate program data/program guide feature to storage device used to record the selected program/selected episodes),

“the programmable recording system utilizes the plurality of tokens to selectively combine at least two program segments based on at least in part upon viewing characteristics of a client system, viewing characteristics of the client system comprising at least one of an age of viewer, time of day and type of show being viewed” is interpreted as the user television equipment/recording device utilizes plurality of

episode/segment identifiers, or air times, or program titles, etc. to selectively combine at least two program segments of a program, or two episodes of a super program/series, or two video clips/advertisements of the same category, etc. based on at least in part upon viewing characteristic of the user television equipment, the viewing characteristics comprising at least type of show being view such as movie, video on demand, super program, or series, etc. – see include, but are not limited to, paragraphs 0123-0124, 0127-0128, 0191; E988: figures 22, 25a-25b, 29-31; Knudson: figures 7-11).

Regarding claim 41, E208 further teaches the server (16 or user television connected directly to the television distribution facility) is a first server, the token being provided as a request from a second server (user television equipment at another location (e.g. children's room, den, etc. or remote program guide access device 24 or– see include, but is not limited to, paragraph 0127, 0134, 0219-0222; E827: figures 27-29) in response to a user selection associated with the at least one of an audio and visual program.

Regarding claim 42, E208 teaches a system to facilitate remote programming of a recording system, comprising:

a first server (e.g. remote program guide access device 24 or user television equipment – figures 2c-2d, 5, 27-31) operable to receive data indicative of a user selection (via user interface 52, or user input device-figure 5, 29), the first server providing a request to a second server (distribution facility 16 or another user television

equipment— figures 2c, 2d), the request having data identifying at least one of the user (user who schedules a program for recording or user who receives the program— paragraph 0127, McKissicks: figures 27-29) and a recording system (identification of storage device used to record to the selected program – paragraphs 0127, 0134, 0219-0222, McKissicks: figures 27-29), the second server communicates program data corresponding to one of an audio and visual program in at least two segments (see include, but are not limited to, E988: figures 6a-6b, 25a-25b and discussion in the rejection of claim 40);

the additional limitations that correspond to the limitations of claim 40 are analyzed as discussed in the rejection of claim 40.

Regarding claim 44, E208 discloses a user interface (10- figure 1) to facilitate remote programming of a recording system, comprises a main facility 12 for providing plurality of programs and program guide information associated with the plurality of programs to the distribution facility 16. The distribution facility 16 receives program guide information, stored them and provides them to user equipment 22 or remote program guide access device 24. The program guide information is displayed on a display of television 16 at user equipment 22 or on a display of remote program guide access device 24. In response to a user selection of specific program on the display of the remote program guide access device 24 to be recorded, a request is sent to distribution facility 16. Distribution facility 16 processes the request and provide the selected

program to a particular storage device used to record the selected program (figures 2c-2d, 3, 5, 7-8, 19 and paragraph 108-112). Thus, the user interface comprising:
a selectable display portion (program guide listing or segment/episode identification) associated with at least one of an audio and a visual program; and

a process (e.g. distribution facility 16 or set top box 28 – figure 3) associated with the display portion to effect programming of a recording system (storage device 25, 31, 32, or 56 – figures 2c, 3, 5) to record the at least one of an audio and visual program in response to selection of the display portion, wherein the process is resident at a server operable to communicate at least two token (e.g., identification of segment, episode or program) to the recording system based on the selection to effect programming of the recording system (figure 2c, 3).

the limitations that correspond to the limitations of claim 42 are analyzed as discussed in the rejection of claim 42.

Regarding claim 51, E208 teaches a method comprising:

transmitting for display on a remote computer information about at least one of audio and visual content (transmitting program guide information/program guide feature to user equipment 22 or remote program guide access device 24 – figures 2c-2d and paragraphs 0073, 0100-0101);

receiving from the user computer a selection of the content (see include, but are not limited to, paragraphs 0108-0112, 0127);

constructing a plurality of tokens (constructing program guide information/feature including plurality of title, identifier, channel, etc. see include, but are not limited to, figures 1-10, paragraphs 0067, 0108-0110; E988: figures 1-2b, paragraphs 0058-0060);

transmitting at least two of the plurality of tokens to effect recording of a program corresponding to the program content (e.g., transmitting at least two program/episode identifier, title, start time, etc. for use in recording the selected program – see include, but are not limited to, paragraphs 0117-0119, 0127, 0134).

the limitations that correspond to the limitations of claim 40 are analyzed as discussed in the rejection of claim 40.

Regarding claim 52, E208 further teaches the tokens are transmitted to the remote computer (e.g., program/episode listing, identifier, etc. are transmitted to remote program guide access device 24 or user television equipment – see include, but are not limited to, figures 2a-2d, paragraphs 0108-0112, 0127, 0134, 0219-0222).

Regarding claim 53, E208 also teaches the tokens are transmitted to a recording system (e.g., storage devices 31, 32, etc. in user television equipment – paragraph 0127, 0134, 0219-0222).

Regarding claim 54, E208 further teaches the tokens are transmitted to a server (server 25, or user television equipment/central server connected directly with the television

distribution facility – see include, but is not limited to, paragraphs 0127, 0134, figures 2a-2d, 29-31).

Regarding claim 55, E208 further discloses the information indicating the user who scheduled a program for recording, may also be recorded by the program guide or remote program guide access device (see include, but is not limited to, paragraphs 0127, 0134; McKissick: figures 27-31, E827: figures 27-29). Thus, information identifying the user is received (either user selects program for recording or user receives the program).

Regarding claim 56, E208 further discloses the selected program may be stored on secondary storage device 32, digital storage device 31, on storage device 56 of remote program guide access device 24, or storage device at another location (paragraphs 0127, 0163-0164, 0219-0220; 827: figures 27-31). Inherently, information identifying a device associated with the user is received so that the selected program is stored in a predetermined storage device.

Regarding claim 57, E208 further discloses the program listing information includes program channels (paragraph 0067). The remote program guide may respond to the command by sending one or more access communications to the local interactive program guide implemented in equipment 17 with the remote program guide access device 24 to record the program associated with the selected listing when the program

is aired. The program may be recorded on storage device 32, digital storage device 31 or on storage 56 of remote program guide access device (see include, but is not limited to, paragraph 0127). Thus, the information identifying a local tuning space (e.g. program channel), system configuration for a device (for example, set control circuitry 42 to a specific channel) is also received.

Regarding claim 59, E208 teaches a computer implemented method comprising:

storing programming information (see include, but are not limited to, paragraphs 0082-0085);

receiving from a computer user information (who set a reminder, who scheduled program for recording, etc. 0108-0127) and information describing one of an audio and visual program (e.g., times, tiles, identifier, etc. of episode/program to be recorded – paragraphs 0099-100, E388: figures 7,10);

using the stored programming information and the user information to construct tokens that includes information sufficient to program a recording system to record the one of audio and visual program, the one of audio and visual program comprising a plurality of segments (using the program guide information/program guide feature and user information to construct a recording request that allow the recording system to record a program into specific storage device, the program or super program comprises a plurality of segments- see include, but is not limited to, paragraphs 0099-100, 0127, 0220, E988: figures 6a-6b, 25a-25b, paragraphs 0082, 0094-0096, 0173-0181);

transmitting the tokens (e.g. transmitting program guide information/ feature comprising recording request) via a communication link (see include, but are not limited to, figures 1-2d, paragraphs 0110-0112, 0127).

The limitations that correspond to the limitations of claim 51 are analyzed as discussed in the rejection of claim 51.

Regarding claim 60, E208 further teaches the computer is a remote computer (paragraph 0092);

Regarding claim 61, E208 further teaches the remote computer is a portable computer (paragraph 0092).

Regarding claim 62, E208 further teaches the computer is a server (figure 2c, 2d, 29-31).

Regarding claim 63, E208 further teaches the user information includes information identifying characteristic of a device associated with the user (VCR, DVD, set top box with cable modem – figure 11).

Regarding claims 64-66, the additional limitations as claimed correspond to the additional limitations as claimed in claims 52-54 and are analyzed as discussed with respect to the rejections of claims 52-54.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 58 and 67 are rejected under 35 U.S.C. 102(e) as being anticipated by E208.

Regarding claims 58 and 67, the limitations as claimed are directed toward embodying the method of claims 51, 59 in "computer readable medium". It would have been obvious to embody the procedures of E208 discussed with respect to the rejections of claims 51 and 59 in a "computer readable medium" in order that the instructions could be automatically performed by a processor.

6. Claims 1-3, 5-11, 15-21, 24-25, 27-36, 38-39, 46-50 rejected under 35 U.S.C. 103(a) as being unpatentable over E208 in view of Boyer et al. (US 7,165,098 B1).

Regarding claim 1, E208 discloses main facility 12 or television distribution facility 16 stores a plurality of program guide information in a program guide server (figures 1-2d).

The program guide information includes television program listings data (e.g., program times, channels, titles, and descriptions) and other program guide data for additional services other than television program listings (e.g., pay per view information, weather information, associated internet web link, computer software, etc. – paragraphs 0067). The main facility and/or television distribution facility is programmed to provide the program guide information to remote program guide access device and user television equipment 22 based on received selection criteria (program guide feature) such as list of favorite programs, parental control features, schedule program recording feature, etc. (including, but are not limited to, paragraphs 0069-0072, 0097, 0101, 0103, 0108-0112, 0117-0118, 0126-0127, 0220, figures 1, 2c-2d, 27, 29-31). Thus, the limitation “server computer storing a plurality of tokens” is met by main facility, or television distribution facility, or user television equipment storing program guide features/information including program channel, program description, program title, time, segment identifier, or episode identifier, etc., (also see figures 7-11, paragraph 0087; E988: figures 25a-25b, 29-31; Knudson: figures 7,10-11); the “remote computer” as claimed is met remote program guide access device 24, or user television equipment(s), wherein the “token” as claimed is met by the program guide information/feature including title, channel, identifier, or time, or description, etc. of episode of video program or super-program (see include, but are not limited to, paragraph 0088-0087, 0185-0188, figures 3, 27, 29-31; E988: figures 25a-25b, 29-31, paragraphs 0082, 0094-0096; Knudson figures 7-11); the claimed limitation “wherein the server is programmed to provide at least one token to a remote computer based on received selection criteria” is met by the main facility, or

television facility (16) and/or user equipment (22) is programmed to provide program guide feature (providing identifier, channel, title, or time, etc. of episode, or program, in program listings, information of favorite program, program to be recorded, or reminder, etc.) to remote access device or user television equipment based on selection criteria received from the user (e.g., via link 19 or one of the remote control or user input device – see including, but are not limited to, paragraphs 0110, 0120-0126, 0188, 0191);

“the remote computer utilizes at least two tokens to selectively combine at least two program segments based on at least in part upon viewing characteristics of one or more users at the remote computer, the viewing characteristics comprising at least one of an age of the one or more users, time of day and type of show being viewed” is interpreted as the remote access device or user television equipment utilizes at least two episode/segment identifiers, or air times, or program titles, etc. to selectively combine at least two program segments of a program, or two episodes of a super program/series, or two video clips/advertisements of the same category, etc. based on at least in part upon viewing characteristic of the remote access device or user television equipment, the viewing characteristics comprising at least type of show being view such as movie, video on demand, super program, or series, etc. – see include, but are not limited to, paragraphs 0123-0124, 0127-0128, 0191; E988: figures 22, 25a-25b, 29-31; Knudson: figures 7-11).

E208 further discloses on-line program guide pages comprising a plurality of tokens (e.g., program identifier, channel, title, episode information, etc. – see include, but are

not limited to, paragraphs 0079, 0101, 0150). E208 discloses each token containing an formatted block of data identifying a disparate one of at least two segments of a predetermined one of an audio and visual program (e.g., one line program guide pages comprises program title, channel, episode identifier, etc. and each contain program guide data identifying program episode, channel, title, etc. of audio or video program – see include, but are not limited to, figures 7-9, paragraphs 0079, 0101, 0150). However, E208 does not explicitly disclose each token containing an XML formatted block of data.

Boyer disclose each token containing an XML formatted block of data (scheduling application web page may be created in any suitable language such as XML code. The web page comprises plurality of program guide information/data – see include, but are not limited to, col. 9, lines 43-67, figures 6b, 8, 11, 15, 20a-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify E208 with the teaching as taught by Boyer in order to yield predictable results such as providing a document that is simple and easily to use.

E208 further teaches program guide information, or program guide features are provided to remote access device or user television equipment using e-mail application (see including, but are not limited to, paragraphs 106-107, 119, 139; 0180, 0228; Messages such as reminder message, notification including program information such as title, time, etc. is sent to the user television equipment or remote access device as email – see include, but are not limited to, figures 4, 15, paragraphs 0063, 0086, 0116, 0118, 0121, 0124, 0140). Boyer also discloses the schedule information is provided

using e-mail delivery (see include, but are not limited to, figures 15-16, col. 15, lines 14-49, col. 16, lines 35-47). It would have been obvious to one of ordinary skill in the art to include in the email the information as an attachment (either file attached with only file name display or all components of the file included in the message body) in order to yield predictable results such as improve convenience for user.

Regarding claim 2, E208 in view of Boyer teaches a system as discussed in the rejection of claim 1. E208 further teaches the server is programmed to transmit a message to the remote computer based on the selection criteria, the message including the at least one token (e.g., the television distribution facility sends a message/reminder to remote program guide access device 24 or user television equipment based on a selection criteria such as recording information, status information, message information, audio and video, or reminder setting, etc. paragraphs 0103-0104; the message include program guide information/program guide feature including program title, channel, time, etc. – see including, but are not limited to, paragraphs 0106-0107, 0119; McKissick: figures 15-16).

Regarding claim 3, E208 in view of Boyer teaches a system as discussed in the rejection of claim 2. E208 further teaches the message is a text email message, the token being operatively associated with the email message (the program guide data/program guide feature and other information may, for example, be encapsulated

into e-mail messages – see including, but are not limited to, paragraphs 0106-0107, 0119, 0139; McKissick: figures 15-16, paragraphs 0093, 0121, 0124, 0140).

Regarding claim 5, E208 in view of Boyer teaches a system as discussed in the rejection of claim 1. E208 further teaches the server computer is programmed to store corresponding program data as an attribute of each token, the server providing corresponding program data with each token (main facility or television distribution facility or user equipment is programmed to store programs and program data corresponding to program guide information/program guide feature, the main facility or television distribution facility or user equipment provides corresponding program and program data with each program guide information/program guide feature including channel, title, etc. see include, but are not limited to, paragraphs 0066-0067, 0110, 0115; E988: figures 2d, 7).

Regarding claim 6, E208 in view of Boyer teaches a system as discussed in the rejection of claim 1. E208 additionally teaches a program database is stored at the server computer, the program database including the plurality of tokens identifying a plurality of at least one of audio and visual programs (program guide server, which is located either at distribution facility or main facility, or user equipment stores program guide information/program guide feature and program data – paragraphs 0065-0066, 0073). The program guide information/program guide feature may includes television

program listing such as program times, channels, titles, and descriptions, etc. paragraph 0067, figure 8; E988: figures 2e, 10, 18e, 25a-25b).

Regarding claim 7, E208 in view of Boyer teaches a system as discussed in the rejection of claim 1. E208 also discloses program guide server 25 may, for example, generate program guide display screens as digital frames and distribute the frames to user television equipment 22 for display by an interactive program guide client implemented on user television equipment 22. Program guide server 25 may run a suitable database engine, such a SQL server, and provide program guide data in response to queries generated by user television equipment 22 or remote program guide access device 24 (paragraph 0073). In response to user selection on program guide display screen to select a particular program to record, the server is programmed to record the selected program on predetermined digital or analog storage device (figures 2c-5, 19 and paragraphs 0163-0164). Inherently, in response to a translation request (request for program guide display screen), the server is programmed to translate a token into a usable format (generate program guide display screens suitable to display) for programming a recording system to record a predetermined at least one of audio and visual program in a tuning space (storage device, channel) associated with the recording system.

Regarding claim 8, E208 in view of Boyer teaches a system as discussed in the rejection of claim 7. E208 further teaches select tuning space based on identifying data provided with the translation request (figures 10-11).

Regarding claim 9, E208 in view of Boyer teaches a system as discussed in the rejection of claim 8. E208 further discloses the server provided to selected program to a predetermined storage device selected by the user (see include, but is not limited to, figures 11, 19 and paragraphs 0087, 0163-0164, 0187-0188, 0194, 0197, 0220; E827: figure 27). Inherently, the server stores a unique identifier for each recording system registered with the server, each unique identifier being associated with tuning space information for each respective recording system so that the server is able to provide selected program to predetermined recording system.

Regarding claim 10, E208 in view of Boyer teaches a system as discussed in the rejection of claim 9. E208 also teaches the useable format includes programming data identifying at least two of date, channel, time, duration associated with each token provided with the translation request (see include, but is not limited to, figures 10-11).

Regarding claim 11, E208 in view of Boyer teaches a system as discussed in the rejection of claim 1. E208 discloses program guide information is stored in television program guide equipment 17 (paragraph 0073, figures 2c, 2d). Appropriate commands, requests, or other communications may be transmitted by remote program guide access

device 24 for processing by program guide server 25. If any changes to program guide settings are made (e.g., change to the parental control setting), program guide server may, for example, update a local program guide client running on user television equipment 22 with necessarily information (paragraph 0075). Inherently, the server is programmed to store plurality of tokens (program guide information/program guide feature) as part of a programmable database (e.g., local program guide), the server updating the programmable database in response to receiving an update request at the server (e.g. changes to program guide setting are made).

Regarding claim 15, the limitations as claimed are directed toward embodying the system of claims 1-2 in “computer readable medium”.

“a message component in which at least one token is transmitted from the first user to a second user in response to a request for the at least one token” is interpreted as message component in which at least one attribute of program information such as program/episode/segment identifier, name, time, etc. is transmitted from user at remote access device, or user at the primary user television equipment, etc. to user at the another user television equipment or user at another location in response to a request for setting a reminder, setting for recording, etc. – see include, but are not limited to, figures 27,29,31, paragraphs 0087, 0186-0189, 0191, 0194, 0196, 0198-0199, 0204, 0217-0220; E827: figure 27; McKissick: figures 15-16),

“the at least one token is utilized to program a recording device associated with the second user to record the audio or audio/visual program represented by the token”

is interpreted as the information including time, location, program/episode/segment identifier, etc. in recording settings, reminder settings, etc. is used to program a recording device associated with the second user at the another user television equipment or at another location to record audio or audio/visual program represented by the program information when the program is aired – see include, but are not limited to, paragraphs 0087, 0186-0194, 0218-0220; E827: figure 27; McKissick: figures 15-16)

It would have been obvious to embody the procedures of E208 in view of Boyer discussed with respect to claims 1-2 and above in a “computer readable medium” in order that the instructions could be automatically performed by a processor.

Regarding claim 16, E208 further discloses a user interface component (display 148 – figure 7) for receiving selection criteria having program characteristic (program times, title, channel, etc. figure 7) indicative of at least one of an audio and visual program. It would have been obvious that computer executable components are provided in order that a processor could automatically perform the instructions

Regarding claim 17, E208 further discloses the program guide information is organized different category. In response to user selection of a particular category, only program guide information associated with the selected category is displayed (see include, but is not limited to, paragraphs 0108-0112, E988: figures 10-13). Inherently, a search component is comprised for locating at least one token (program guide information/program guide feature) from the token database component (e.g., program

guide server or storage device that stores program guide information in user equipment or storage 56) based on selection criteria. It would have been obvious that computer executable components are provided in order that a processor could automatically perform the instructions.

Regarding claim 18, E208 further discloses program database component (program guide server 25, storage 56, storage device 31, 32 – figures 2c-5) that includes the token database component (program guide information/program guide feature – paragraphs 0098-0099), the program database component associating at least one attribute with each token (e.g. program guide feature including program times, titles, etc.) the at least one attribute being provided with the at least one token (program guide feature including program times, titles, etc. being provided with program guide information – paragraph 0067, figure 8). It would have been obvious that computer executable components are provided in order that a processor could automatically perform the instructions.

Regarding claims 19-20, the limitations as claimed are directed toward embodying the system of claims 7-8 in “computer readable medium”. It would have been obvious to embody the procedures of E208 in view of Boyer discussed with respect to claims 7-8 in a “computer readable medium” in order that the instructions could be automatically performed by a processor.

Regarding claim 21, E208 further discloses if any changes to program guide settings are made, the program guide server may, for example, update a local program guide client running on user television equipment 22 with the necessarily information (see including, but is are not limited to, paragraph 0075). It would have been obvious that the token database component (program guide server) comprises computer executable component for updating in order that a processor could automatically perform the instructions.

Regarding claim 24, the limitations that correspond to the limitations of claim 1 are analyzed as discussed in the rejection of claim 1; wherein “means for storing...” is interpreted as program guide/webpage database or program guide server for storing program guide information including program guide application – see include, but are not limited to, paragraphs 0067, 0073, E988: figures 25a-25b, Boyer: figures 1, 3, col. 9, lines 43-67);

“means for providing a selected token to a first user in response to a query from the first user identifying program selection criteria” is interpreted as transmitting device at main facility or program guide distribution equipment 21 or Internet service system for providing selected program guide information to user at the distribution facility or user at user television equipment connected to the external network in response to user request for particular program information – see include, but are not limited to, figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

“means for transmitting a copy of the token from the first user to a second user” is interpreted as device television distribution facility or in user television equipment connected directly to the television distribution facility for transmitting a copy of program guide information from the user associated with the television distribution facility or user associated with the user television equipment connected directly to the user television equipment to the user at the remote access device or device at another location connected to the television distribution facility or the user television equipment connected directly to the distribution facility – see include, but are not limited to, figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

“means for utilizing the token to program a recording device associated with the first user to record the audio/visual program” is interpreted as processing circuit or control circuit or user input device or information in recording selection message for utilizing the program guide information to select a recording device associated with the user at distribution facility or user at the user television equipment connected directly to the user television distribution facility to record a predetermined audio/video program – see include, but are not limited to, figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

“means for utilizing the copy of the token to program a recording device associated with the second user to record the audio/visual program represented by the token” is interpreted as control circuitry or user input device or program guide

information in recording selection message for utilizing the program guide/filtered program guide transmitted from the distribution facility or from the user television equipment connected directly to the television distribution facility to program a recording device associated with the second user at another location (e.g., bed room, children room, etc.) to record the audio/visual program represented by the program information of program selected to be recorded at the air time - figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110-111, 117, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

Regarding claim 25, E208 further teaches means for updating the token storing means in response to an update request (user accesses a suitable web page provided by Internet service system 61 that allow the user to enter a password and adjust the program guide parental control settings feature- see include, but is not limited to, paragraph 0099).

Regarding claim 27, E208 further discloses the program guide server generates program guide display screens as digital frames and distribute the frames to user television equipment 22 for display by an interactive program guide client implemented on user television equipment 22 (paragraph 0073). The server provides selected program to predetermined system in response to user selection of a particular icon on the screens (figure 19). Inherently, the system includes means (program guide server) for translating a token into a useable format (program guide display screen format) for

programming a remote recording system to record a predetermined at least one of an audio and visual program (selected program) in a tuning space (storage device, tune channel) associated with the recording system.

Regarding claims 28-29, the limitations correspond to the limitations as claimed in claims 2-3 respectively, and are analyzed as discussed with respect to the rejection of claims 2-3.

Regarding claim 30, the limitations of the method that correspond to the limitations of the system being claimed in claim 1 are analyzed as discussed in the rejection of claim 1, wherein the first computer correspond to the server as claimed in claim 1, the second server as claimed is read on either user television equipment or remote access device 24 (see include, but are not limited to, E208: figures 1-2d, 29-31, paragraphs 0087, 0108-0112).

Regarding claim 31, E208 further discloses the program guide information is organized different category. In response to user selection of a particular category, only program guide information/program guide feature associated with the selected category is displayed/performed (paragraph 0112). Inherently, a program database is searched for the token based on the selection criteria so that the program information is displayed in organization criteria (e.g. time, theme, etc.).

Regarding claim 32, the limitations of the method that correspond to the limitations of the system as being claimed in claim 24 are analyzed as discussed in the rejection of claim 24, wherein the claimed “first computer” is interpreted as main facility or television distribution facility (see include, but are not limited to, figures 1-2d, 27);

“receiving selection criteria from a second computer, the selection criteria represents a desired recording of a first user” is interpreted as receiving selection of a particular program to be recorded from the user associated with the user television equipment connected directly to the television distribution facility figures 1, 2a, 2d, 19, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

“selecting at least one token based on the selection criteria” is interpreted as selection program guide information including title, channel, time, etc. of the program/episode selected to be recorded – see include, but are not limited to, figures 2a, 2d, 19, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

“sending a message to the second computer, the message having the selected at least one token associated with the message” is interpreted as sending a message such as program recording setting, recording reminder, etc. to the user television equipment connected directly to the distribution facility, the message having program guide information of the program/episode selected to be recorded - figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115, figures 15-16; E827: figure 27);

“sending a copy of the received token from the second computer to a third computer, the third computer is employed by a second user” is interpreted as sending received program guide information of the selected program from the user television connected directly to the television distribution network to the user television equipment at another location (e.g., den, children’s room, etc.), the user television equipment at another location is used by a user at that location such as children in children room - figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figures 11, 13, 27);

“emailing the token residing on the second computer to an e-mail address associated with a first recording device” is interpreted as emailing program information including recording settings information received, or storing on the user television equipment connected directly to the distribution facility to an email address associated with recording device at the user television equipment connected directly to the television distribution facility – see include, but are not limited to, figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

“authenticating the e-mail token at the first recording device to verify the token was sent from an authorized source, authentication is based at least on the e-mail address of the sender of the token, at least one authorized e-mail address is defined by user configuration” (user enter email address, the email address of the sender is verify by the receiving user television equipment to determine whether the sender is in block list or not – see include, but are not limited to, paragraphs 0118-0124, 0129, figure 15);

“utilizing the e-mailed token to program the first recording device to record the audio/visual program represented by the token” is interpreted utilizing the emailed program guide information to select a recording device associated with the user at distribution facility or user at the user television equipment connected directly to the user television distribution facility to record a predetermined audio/video program represented by the selected program information – see include, but are not limited to, figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110, 0124-0126, 0186-0194, 0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figure 27);

“utilizing the copy of the token residing on the third computer to program a second recording device to record the audio or visual information presented by the token, the second recording device is programmed by e-mailing the token to an e-mail address associated with the second recording device” (utilizing received program guide information received on the secondary user television equipment or user television equipment at another location to program a recording device associated with the secondary user television or user television at another location to record program/episode presented by the selected information, the recording device associated with the user television equipment at another location is programmed to record the selected program by emailing the program information of the selected program to an email address associated with the recording device associated with the user television equipment at another location – see include, but are not limited to, figures 2a, 2d, 27, 29, 31, paragraphs 0087, 0110-111, 117, 0124-0126, 0186-0194,

0199, 0204, 0220-0222; McKissick: paragraphs 0114-0115; E827: figures 11,13, 27, paragraphs 0086, 0088, 0091-0094, 0114-0124, 0129-0130);

Regarding claim 33, the additional limitations as claimed correspond to the additional limitations in claim 31, and are analyzed as discussed with respect to the rejection of claim 31.

Regarding claim 34, E208 further discloses the program may be recorded on digital storage device 31, on secondary storage device 32, or on program guide server 25 of the distribution facility 16, or on storage 56 of the remote program guide access device 24 according to the command (see include, but is not limited to, paragraphs 0163-0164; McKissick: figures 7, 15, 17, 18, 21, 23, paragraph 0015). Inherently, the message is sent based on address data provided by the second computer (22, 24...), the remote computer (e.g. another user equipment 22 or remote access device) is different from the second computer (e.g. 24 or user television equipment connected directly to the television distribution facility – figures 2d, 3, 6a, 27, 29-31).

Regarding claim 35, E208 further discloses the selected criteria can be sent to and displayed on remote program guide access device 24 or user television equipment in response to a selection from remote program guide access device 24 or user equipment 32 (paragraph 0108-0112, McKissick: paragraph 0114). Thus, the remote computer (e.g. 22, 24...) and the second computer (e.g. 22, 24...) are the same.

Regarding claim 36, E208 further teaches updating the database at the first computer in response to an update requested received at the first computer (see include, but are not limited to, paragraph 0075, 0099).

Regarding claim 38, the limitations of the method as claimed correspond to the limitations of the system as claimed in claim 7, and are analyzed as discussed with respect to the rejection of claim 7.

Regarding claim 39, E208 further teaches the message is a text email message, the selected token being operatively associated with the email message (the program guide data/program guide feature and other information may, for example, be encapsulated into e-mail messages – paragraphs 0106, 0119, 0156, 0180, 0228).

Regarding claim 46, E208 teaches a computer-implemented method comprising:

receiving program content criteria from a user via a communication link (receiving user selection of a content criteria from a user via communication link 19- figures 2c, 2d, page 12, line 30-page 13, line 9, page 31, lines 7-31);

selecting program content based on the program content criteria received from the user (select program to be recorded based on the requested received from the user – page 54, line 28-page 55, line 24 figure 19);

transmitting the tokens to effect recording of a program corresponding to the program content (transmitting identification, start time, etc. of the episode, program, to be used in recording a program/episode in a specified storage device— see include, but are not limited to, paragraphs 0108-0112, 0117-0119, 0220).

the limitations correspond to the limitations in claim 24, and is analyzed as discussed in the rejection of claim 24.

Regarding claim 47, E208 further teaches the tokens are transmitted to a computer associated with the user (e.g., program/episode listing, identifier, etc. are transmitted to remote program guide access device 24 or user television equipment – see include, but are not limited to, figures 2a-2d, paragraphs 0108-0112, 0127, 0134, 0219-0222).

Regarding claim 48, E208 also teaches the tokens are transmitted to a recording system (e.g., storage devices 31, 32, etc. in user television equipment – paragraph 0127, 0134, 0219-0222).

Regarding claim 49, E208 further teaches the tokens are transmitted to a server (25 – see include, but is not limited to, paragraphs 0127, 0134, figures 2a-2d).

Regarding claim 50, the limitations as claimed are directed toward embodying the method of claim 46 in “computer readable medium”. It would have been obvious to embody the procedures of E208 in view of Boyer discussed with respect to the

rejections of claim 46 in a "computer readable medium" in order that the instructions could be automatically performed by a processor.

7. Claims 12-14, 22-23, 26, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over E208 in view of Boyer as applied to claim 11, 15, 25, or 36 above, and further in view of Knudson et al. (US 6,536,041)- referred to as Knudson041.

Regarding claim 12, E208 in view of Boyer teaches a system as discussed in the rejection of claim 11. E208 further discloses program guide data may be provided by television distribution facility 16 to user television equipment 22 in a continuous stream or may be transmitted at a suitable time interval (paragraphs 0070-0071). However, E208 in view of Boyer does not explicitly disclose notify the remote computer in response to receiving an update request that modifies program criteria for a program represented by the at least one token.

Knudson041 discloses television distribution facility 26 receives program guide data and real time data from sources 22 and 30, and stores the data into database 57 (col. 6, line 45-col. 7, line 27). The program guide data and real time data is displayed on the screen to user in response to user selection (col. 7, lines 47-63). The program guide data may be distributed to set top box 52 (via facility 26) periodically and stored in database 53. The program guide information includes real time data such as sports scores for games that have recently concluded (col. 7, lines 10-67 and figure 7). Thus,

the server is programmed to notify the remote computer in response to receiving an update request that modifies program criteria for a program represented by the at least one token (providing recently program guide data and real time data to the display at the user equipment). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify E208 in view of Boyer to use the teaching as taught by Knudson041 in order to provide update information to user thereby improve quality of services.

Regarding claim 13, E208 in view of Boyer and Knudson041 discloses the system as discussed in the rejection of claim 12. Knudson041 further teaches the server (facility 26- figure 1) stores a different identifiable characteristic for each token obtained from the server (facility 26 stores program channels, times, title, etc. in database 57 – figure 1 and col. 6, line 10-col. 7, line 27), the server employing an identifiable characteristic to notify the remote computer of changes in program criteria for a program represented by the at least one token (facility 26 provides update program guide data and update real time such as changes in sport scores, delay game, etc. to the user equipment for display – col. 6, line 10-col. 7, line 67).

Regarding claim 14, E208 in view of Boyer and Knudson041 discloses the system as discussed in the rejection of claim 13. Knudson041 further teaches the server is program to provide at least one of a token and updated programming data to the remote computer in response to receiving an update request that modifies program criteria for a

program represented by the at least one token previously provided to the remote computer (facility 26 provides program guide data (titles, channels, etc.) and updated programming data (e.g. sports scores, real time games statistics, game delay information, etc. – col. 6, line 10-col. 7, line 67).

Regarding claims 22-23, the limitations as claimed are directed toward embodying the system of claims 12, 14 in “computer readable medium”. It would have been obvious to embody the procedures of E208 in view of Boyer and Knudson⁰⁴¹ discussed with respect to the rejections of claims 12, 14 in a “computer readable medium” in order that the instructions could be automatically performed by a processor.

Regarding claim 26, the limitations correspond to the limitations of claim 14, and are analyzed as discussed with respect to the rejection of claim 14.

Regarding claim 37, the limitations of the method as claimed correspond to the limitations of the system as claimed in claim 26 and are analyzed as discussed with respect to the rejection of claim 26.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hirata (US 2005/0091493 A1) discloses remote control of VCR with electronic email.

Codignotto (US 7,032,030 B1) discloses message publishing system and method.

Eguchi et al. (US 7,076,152 B1) discloses image recording system.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P. Huynh whose telephone number is 571-272-7295. The examiner can normally be reached on 9:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son P. Huynh

December 6, 2007

